

In Care of:  
FEDERAL CORRECTIONAL INSTITUTION  
9595 West Quincy Avenue  
Littleton, CO 80123  
Terry-Le Roy: Cassidy  
In Propria Persona Sui Juris

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

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AUG 02 2006

at 2 o'clock and 05 min P.M. :  
SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	Case # CR-02-00133-ER
Plaintiff,	)	Civil # 05-00677-ER-LEK
	)	MOTION FOR DEFAULT JUDGEMENT
vs.	)	
TERRY LEROY CASSIDY,	)	BY RESTRICTED APPEARANCE
Defendant.	)	AND SPECIAL VISITATION
	)	

MOTION FOR DEFAULT JUDGEMENT

COMES NOW, Terry-Le Roy: Cassidy, In Propria Persona Sui Juris, by and on behalf of the Corporate entity, TERRY LEROY CASSIDY, and moves this Court for a Default Judgement in the above entitled matter matter.

The Defendant, by and through its Authorized Representative, Terry-Le Roy: Cassidy, has filed a Rule 60 (b)(4) for lack of jurisdiction. This Motion manifests the Court lacked "Personal Jurisdiction" over the matter due to the fact "Personal Jurisdiction" must attach within the "Territorial Jurisdiction" of the United States. The Rule 60(b)(4) Motion alleges the District Court did not have "Territorial Jurisdiction" and that evidence was not entered upon the record, that proved the Defendant, nor any alleged co-conspirators, were in fact within the "Territorial Jurisdiction" of the United States.

Without territorial jurisdiction the judgement is void. A Judge-  
ment cannot be sustained without territorial jurisdiction.

Additionally, the Court lacked subject matter jurisdiction, due to the fact, without proper service of process by, and upon, the proper parties, that they exist, are correct and are present, the Judgement is Void for Want of Jurisdiction. The proper party was not served in this instance.

- 1.) Rule 60 (b)(4) Motion filed April 17, 2006
- 2.) Plaintiff failed to Respond
- 3.) Motion of Entry of Default and Affidavit filed June 14, 2006
- 4.) Plaintiff failed to respond
- 5.) Hence, this Motion for Default Judgement

The Plaintiff in this instance has failed to prove its territorial jurisdiction on the record, it has failed to cite any contract it holds in due course compelling performance of the Defendant or Defendant's Authorized Representative. The Plaintiff has failed to respond to the original motion, failed to respond to the entry of default, and therefore, the unrebutted affidavit stands as truth in this instance. That truth being, the Plaintiff has not proven "territorial jurisdiction", "impersona jurisdiction" nor "subject matter jurisdiction". Without these matters being proven, the Court is in want of jurisdiction. Therefore, the Judgement is Void ab initio, and the Court has no discretion in this instance, it must vacate judgement.

RELIEF

- 1.) Based upon the fact the Defendant has shown justifiable cause for Default Judgement it should be granted, and is herein requested.
- 2.) In the alternative, order the Plaintiff to rebut the allegation in the Rule 60 (b)(4) Motion by rebutting the Affidavit point for point under penalty of perjury, executed by a natural individual, making them commercially responsible for whatever they say.
- 3.) Discharge the instant case as justice requires.
- 4.) Any and all other relief the Court deems appropriate.

DECLARATION

I swear under the penalty of perjury under the laws of the United States of America, that the foregoing is true, correct and complete to the best of my firsthand knowledge.

(2)

Default Judgement

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Dated: 7/19/06

by: Terry Le Roy Cassidy, Esq.  
Terry Le Roy Cassidy, In Propria Persona Sui  
Juris

(3)

Default Judgement

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Terry-LeRoy: Cassidy  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

TERRY LEROY CASSIDY,	)	Case No. CR-02-00133-ER
	)	Civil # 05-00677-ER-LEK
Petitioner,	)	
	)	
vs.	)	
	)	CERTIFICATE OF SERVICE
UNITED STATES OF AMERICA,	)	
	)	BY RESTRICTED APPEARANCE
Respondent.	)	AND SPECIAL VISITATION
	)	

CERTIFICATE OF SERVICE

I hereby certify that I placed in the United States mail, a true, correct and complete copy of the pleading entitled "MOTION FOR DEFAULT JUDGEMENT", sent to the parties listed below, addressed as follows:

United States District Court  
District of Hawaii  
Clerk of the Court  
300 Ala Moana Blvd.  
Honolulu, HI 96850

Clare Connors  
Assistant United States Attorney  
300 Ala Moana Blvd. Rm 6-100  
Honolulu, HI 96850

Dated: 7/19/06

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by: *Terry-LeRoy Cassidy, Agent*  
Terry-Le Roy; Cassidy, In Propria Persona Sui Juris

(1)